

## Article - Health Occupations

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§7-409.

(a) Except as provided in subsection (b) of this section, all inspections of funeral establishments shall be unannounced and may take place at any time without notice from the Board.

(b) An unannounced inspection may include advance notice that an inspector may be in the region of the funeral establishment for the purpose of conducting an inspection if:

(1) The advance notice is no more than 14 days prior to the inspection;

(2) No specific date or time is provided for the inspection; and

(3) The advance notice is provided solely to ensure that a licensed mortician or funeral director will be on-site for the inspection.

(c) (1) This subsection applies to inspections conducted:

(i) In response to valid information provided to the Board resulting in a complaint being opened by the Board concerning the preparation or body storage areas of a licensed funeral establishment only if the Board has provided a copy of the complaint to the licensed funeral establishment; or

(ii) Of a funeral establishment that the Board has placed on probationary status in accordance with § 7-316(b) of this title.

(2) A trained staff member of the Board who is qualified to do inspections may call the supervising mortician of a licensed funeral establishment, as designated under § 7-310(e) of this title, and request immediate access to the preparation and body storage areas of the funeral establishment.

(3) If a request is made under paragraph (2) of this subsection, the supervising mortician immediately shall provide the staff member of the Board with the location of the key or access code to the preparation or body storage areas of the funeral establishment.

(4) An employee of a licensed funeral establishment is not required to accompany a staff member of the Board while the staff member conducts an inspection of a preparation or body storage area in accordance with this subsection.

(d) An unannounced inspection of a licensed funeral establishment shall be conducted during the hours that the business of mortuary science is being conducted at the licensed funeral establishment.

(e) Within 24 hours after the completion of an unannounced inspection of a licensed funeral establishment, the Board shall provide the results of the inspection to:

(1) The holder of the funeral establishment license; or

(2) The supervising mortician for the licensed funeral establishment, as designated under § 7–310(e) of this title.

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